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ATTORNEY DOCKET NO. 14014.0346U1
EXPRESS MAIL LABEL NO. EL979110472US
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|-------------------------------------|---|-----------------------|
| In re Application of |) | |
| |) | |
| EGAN <i>et al.</i> |) | Art Unit: 1646 |
| |) | |
| Application No. 09/762,538 |) | Examiner: Jiang, Dong |
| |) | |
| Filing Date: July 19, 2001 |) | Confirmation No. 5705 |
| |) | |
| For: DIFFERENTIATION OF NON-INSULIN |) | |
| PRODUCING CELLS INTO INSULIN |) | |
| PRODUCING CELLS BY GLP-1 OR |) | |
| EXENDIN-4 AND USES THEREOF |) | |

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NEEDLE & ROSENBERG, P.C.
Customer Number 36339

Dear Sir:

Applicant or patent owner hereby appeals under 37 C.F.R. § 41.31 to the Board of Patent Appeals and Interferences from the decision of the Examiner dated June 14, 2005, finally rejecting claims 23, 27, 34, 36, 37, and 54-74.

The items checked below are appropriate:

1. ☒ An extension of time to respond to the final rejection:
 - (a) ☒ was obtained for 3 months.
 - (b) ☐ is requested herewith under 37 C.F.R. § 1.136.
2. Payment in the amount of \$500.00 is to be charged to a credit card and such payment is authorized by the signed, enclosed document entitled Credit Card Payment Form PTO-2038 to cover the following fee(s):

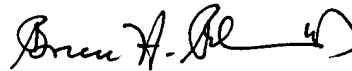
- ☒ Appeal fee amount pursuant to 37 C.F.R. §41.20(b)(1) = \$500.00.
☐ A three month extension of time fee amount pursuant to 37 C.F.R. §1.17(a)(1) = \$_____.

3. ☐ Enclosed is a Pre-Appeal Brief Request for Review and ____ sheets of reasons.

The amount authorized in PTO-2038 is believed to be correct; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

NEEDLE & ROSENBERG, P.C.



Bruce H. Becker, M.D., J.D.
Registration No. 48,884

NEEDLE & ROSENBERG, P.C.
Customer Number 36339
(678) 420-9300
(678) 420-9301 (fax)